

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.Nos.6980 & 6983 of 2019

M.Senthilkumar

.. Petitioner in
Crl.O.P.No.6980/2019

V.Ramaiyan

.. Petitioner in
Crl.O.P.No.6983/2019

Vs.

1.The Superintendent of Police,
Vellore, Vellore District-632 001.

2. The Inspector of Police,
Natrampalli Police Station,
Natrampalli Taluk,
Vellore District-635 854

.. Respondents in
Crl.O.P.No.6980/2019

1.The Superintendent of Police,
Cuddalore, Cuddalore District-608 001.

2.The Inspector of Police,
Prangipettai Police Station,
Bhuvanagiri Taluk,
Cuddalore District-608 502

.. Respondents in

Crl.O.P.No.6983/2019

Common Prayer: Criminal Original Petitions are filed under Section 482 of Criminal Procedure Code, to direct the respondent authority to give police protection and permission to conduct Cultural Programme (Adal Padal Nigalchi) in the event of (i) Sri Sendraya Swamy Temple festival at Kothur Village, Kothur Post, Natrampalli Taluk, Vellore District, on 20.03.2019 by considering the petitioner's representation dated 24.02.2019 (ii) Sri Sengaluneer Amman Temple Festival at C.Pudupettai Village, Prangipettai Post, Bhuvanagiri Taluk, Cuddalore District on 22.03.2019 by considering the petitioner's representation dated 24.02.2019.

For Petitioners: Mr.S. Mayilnathan

For Respondents: Mr.C.Raghavan
Government Advocate (Crl.Side)

C O M M O N O R D E R

Seeking permission to conduct cultural programmes in the event of (i) Sri Sendraya Swamy Temple festival at Kothur Village, Kothur Post, Natrampalli Taluk, Vellore District, on 20.03.2019 (ii) Sri Sengaluneer Amman Temple Festival at C.Pudupettai Village, Prangipettai Post, Bhuvanagiri Taluk, Cuddalore District on 22.03.2019, the petitioners made representation dated 24.02.2019 to the respondent. As the same has not been considered, the present Criminal Original petition have been filed.

2. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondents.

3. The learned Government Advocate (Crl.Side), on instructions, would submit that there is likelihood of arising law and order problem.

4. A mere apprehension cannot be a ground to reject the representation. There is absolutely no material before this Court to hold that there will be a law and order problem in the event of permission being granted. In such view of the matter, these petitions are allowed and the petitioners are permitted to conduct cultural programme in the event of (i) Sri Sendraya Swamy Temple festival at Kothur Village, Kothur Post, Natrampalli Taluk, Vellore District, on 20.03.2019 (ii) Sri Sengaluneer Amman Temple Festival at C.Pudupettai Village, Prangipettai Post, Bhuvanagiri Taluk, Cuddalore District on 22.03.2019 however with the following conditions:-

(a) The cultural programme in connection with the event of (i) Sri Sendraya Swamy Temple festival at Kothur Village, Kothur Post, Natrampalli Taluk, Vellore District, on 20.03.2019 (ii) Sri Sengaluneer Amman Temple Festival at C.Pudupettai Village, Prangipettai Post, Bhuvanagiri Taluk, Cuddalore District on 22.03.2019 shall be conducted between 06.00 p.m. and 10.00 p.m.

(b) There should not be any kind of obscene dance or vulgar dialogues during the performance, by anyone of the participants.

(c) Double meaning songs should not be played so as to spoil the minds of students and youths.

(d) No dance or songs, touching upon any political party or religion or community or caste shall be played.

(e) No flex boards in support of any political party or

communal leader, shall be erected at the premises of the programme.

(f) The functions shall not affect either religious or communal harmony and shall be conducted without any discrimination based on caste.

(g) If there is violation of any one of the conditions imposed, the concerned police officer is at liberty to take necessary action, as per law and stop such performance forthwith; and

(h) Similarly, the police is directed to stop the dance programme, if it is played beyond the permitted time limit.

(i) The respondent is directed to issue necessary permission, incorporating the above conditions.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

mpa/lpp

To

- 1.The Superintendent of Police,
Vellore, Vellore District-632 001.
2. The Inspector of Police,
Natrampalli Police Station,
Natrampalli Taluk,
Vellore District-635 854
- 3.The Superintendent of Police,
Cuddalore, Cuddalore District-608 001.
- 4.The Inspector of Police,
Prangipettai Police Station,
Bhuvanagiri Taluk,
Cuddalore District-608 502
- 5.The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.S. Mayilnathan, Advocate sr 24654.

Cr1.O.P.Nos.6980 & 6983 of 2019

KAN(CO)
SP(19/03/2019)